

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) Criminal No. 08CR3282-LSP
)
Plaintiff,) ORDER REGARDING MOTIONS
) IN LIMINE
v.) (DOC. ## 29, 30, 31, 32)
)
MARICELA LAREDO,)
)
Defendant.)

IT IS HEREBY ORDERED:

1. United States' Motion in Limine To Exclude Witnesses
During Trial With the Exception of the United States' Case Agents
(Doc. # 30)

Motion is GRANTED. All witnesses shall be excluded from the courtroom during trial other than the ICE Officer in charge of the investigation, identified by the United States as "the case agent."

2. United States' Renewed Motion for Reciprocal Discovery
(Doc. # 32)

Motion is DENIED. There is no evidence before the Court of Defendant's request for disclosure by the United States pursuant to

1 Fed. R. Cr. P. 16(a)(1)(F) or (G). The only disclosure acknowledged
2 by both the United States and Defendant is a series of correspon-
3 dence, including a September 9, 2008 letter from Defendant's counsel
4 to AUSA Stingley, which is directed to Fed. R. Cr. P. 16(a)(1)(A)
5 and (E) and does not touch upon the subjects described in Fed. R.
6 Cr. P. 16(a)(1)(F) or (G).

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8 3. United States' Motion in Limine to Exclude Expert
9 Testimony (Doc. # 31)

10 Motion is GRANTED in part and RESERVED in part. For the same
11 reasons regarding #2 above, the Court DENIES the Motion. As to the
12 second part of the Motion(opportunity pursuant to Fed. R. Evid. 702,
13 703 and 705, to examine any permitted expert witness), the Court
14 defers a ruling on that issue until Defendant's presentation, if
15 any. If Defendant presents evidence and expert testimony is
16 proffered, the United States may renew its Motion.

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18 4. Defendant's Motion in Limine to Dismiss The Information
19 or Require The Government to File a Bill of Particulars (Doc. # 29)

20 Motion is DENIED.

21 Defendant failed to timely file the Motion. Even if
22 Defendant had timely filed the Motion, it would have been denied
23 because the Information is sufficient. Further, the other disclo-
24 sures made by the United States supplement the essential facts in

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1 the Information and provide, in the aggregate, sufficient detail
2 with which a defense to the charges may be prepared.

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4 DATED: January 21, 2009

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8 
9 Hon. Leo S. Papas
U.S. Magistrate Judge